

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Frederic FELTEN : Confirmation No. 6602
U.S. Patent Application No. 10/599,294 : Group Art Unit: 2462
Filed: September 25, 2006 : Examiner: Steven A. Wood, Jr.

For: COMMUNICATION STATE PUBLISHING GATEWAY

PETITION UNDER 37 CFR 1.47(b)
FILING WHEN AN INVENTOR IS UNAVAILABLE

MAIL STOP PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to *37 CFR 1.47(b)*, the undersigned, on behalf of France Telecom (hereinafter "Applicant"), petitions to make this application on behalf of and as agent for the inventor, Frederic FELTEN, who has not been reached to sign the application Declaration despite multiple efforts to contact the Inventor.

This petition is accompanied by:

- (a) Declaration in compliance with *37 CFR 1.63*. See, Exhibit A.
- (b) Statement of relationship of Applicant to the inventor as required by *37 CFR 1.64*:
Applicant is the Assignee of the invention described and claimed in the above captioned application by virtue of an assignment from Inventor to Assignee.
- (c) Proof that the Inventor, Frederic FELTEN, has not been reached to sign the application Declaration despite multiple efforts to contact the Inventor:
Declarations of Nicole Olympie, paralegal and Danielle Picque, paralegal of

Orange Labs, of France Telecom (*See*, Exhibits B and C), concluding that Inventor has not been reached to sign the application declaration, despite efforts to contact them, and at no time did the Inventor deny inventorship.

(d) Last known address of the Inventors:

NAME OF INVENTOR:	
Given Name: Frederic	Family Name or Surname: Felten
Residence: Tonquedec, France	Country: FR Citizenship: FR
Mailing address: rue Rubudas 22140 Tonquedec, France	

(e) Proof that Applicant has sufficient proprietary interest in the subject matter to justify the filing of the application.

- Assignment from Inventor to Applicant, which was executed on October 6, 2006 and recorded in the USPTO on October 24, 2006. *See*, Exhibit D.

(f) Statement that the filing of the application is necessary to preserve the rights of the parties or to prevent irreparable damage: the undersigned hereby states that the filing of the application is necessary to preserve the rights of Applicant or to prevent irreparable damage.

(g) Petition Fee.

(h) Submission under 37 CFR 3.73 to establish Applicant's right to take action in the instant application as Assignee: Each Inventor assigned the rights to the intellectual property to Applicant. A copy of the Assignment is attached as Exhibit D.

Any questions can be directed to Applicant's attorney of record.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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